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## Public Records Request

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MCL Chapter 121 of the Acts of 2016

### Records Access Officers

The Records Access Officer (RAO) for the Town of Northfield is:

Daniel Campbell, Town Clerk  
[townclerk@townnfd.com](mailto:townclerk@townnfd.com)  
Northfield Town Hall  
69 Main Street  
Northfield, MA 01360  
413-498-2901 x112

### The RAO has a duty to:

- Coordinate the agency's or municipality's response to requests for access to public records;
- Assist individuals seeking public records in identifying the records requested;
- Assist the custodian of records in preserving public records; and
- Prepare guidelines that enable requestors to make informed requests.

### Electronic Records

Under the new version of the law, RAOs must provide public records to a requestor in an electronic format unless the record is not available in an electronic format or the requestor does not have the ability to receive or access the records in a useable electronic format.

Additionally, as of January 1, 2017, agency RAOs will be required to provide on a searchable website electronic copies of commonly requested records, including: final opinions, annual reports, minutes of open meetings and agency budgets. Municipal RAOs will also be required to post commonly requested records on their municipal websites, to the extent feasible.



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## Response Time

Beginning January 1, 2017, a RAO must permit inspection or furnish a copy of a requested public record within 10 business days following receipt of the request. RAOs may petition the Supervisor of Records for an extension if they are unable to grant access to the requested public records in this time period.

## Fees

The Supervisor of Records' Public Access Regulations allowing records custodians to charge 5 cents for black and white paper copies or computer printouts of public records for both single and double-sided sheets was codified and will remain effective with the new law.

Beginning January 1, 2017, if a response to a public records request requires more than 2 hours of employee time, a municipal RAO may assess a fee of the hourly rate of the lowest paid employee with the skills necessary to search for, compile, segregate, redact or reproduce a requested record. However, the fee shall not exceed \$25 an hour, unless approved by the Supervisor of Records. Municipalities with populations of 20,000 people or fewer will be permitted to charge for the first 2 hours of employee time.

## Administrative Appeals

As of January 1, 2017, if an agency or municipality fails to comply with a requirement of the new law, the requestor may file an appeal with the Supervisor of Records who will then issue a determination on the public status of the records within 10 business days of receipt of the request for an appeal.

## Attorney Fees

Under the new Public Records Law, if a requestor prevails in a court action against an agency or municipal RAO, the court may award the requestor attorney fees or costs.



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Requestor's Information	
<b>Name</b>	
<b>Full Address</b>	
<b>Telephone</b> Daytime  Evening	
<b>Fax</b> (optional)	
<b>Email Address</b> (optional)	
<b>Description of Request</b> (Attach additional documentation if necessary)	

Date Stamp	Date Request Received:	Date Request Passed On to Custodian of the Records, if applicable:
Signature of Individual Receiving Request:		



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## **PUBLIC RECORDS REQUEST INFORMATION**

### **A. Making the Request**

Requests for public records may be oral or written. An oral request, made in person (not by telephone) is valid under the Public Records Law. However, in order to appeal the custodian of the record's failure to provide copies or access to records, your original request, must be in writing. For this reason, it is advisable to put your request in writing. A written request that is clear and concise also helps the custodian of records to respond to your request in a timely and efficient manner.

### **B. The Process**

All requests for public records will be honored in accordance with the Massachusetts Public Records Law. Town staff and/or public officials will respond as soon as practicable and within ten calendar days of the request. Staff and/or public officials will provide a written good faith estimate for the cost of complying with a request where the total cost is expected to exceed ten dollars (\$25.00). This is to assist the requester in determining whether to cancel or limit the extent of the request. Prepayment is required prior to beginning the research, compilation, and copying process. Any denial of access to departmental records will detail the specific legal basis for withholding the requested materials in accordance with the Massachusetts Public Records Law.

### **C. Fees**

The following fees may be charged for complying with a public records request in accordance with the Massachusetts Public Records Law:

1. Time to search for the records, photocopy the records, and re-file the records by (pro-rated hourly wage of the lowest paid employee capable of performing the task, not to exceed \$25.00 per hour)
2. Per page charge for standard single-sided copies \$0.05 per copy; and \$0.10 for 11x17 sheets.
3. An outside source may be used for requests for complete files or full-sized plans at the direct expense of the requestor
4. For examination of records the custodian of the records may charge the search and segregation charge described above.

All fees must be paid in full prior to receipt of copies. Payments must be cash or check only. Checks shall be made out to "*Town of Northfield.*"



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## **PUBLIC RECORDS REQUEST RECEIPT**

Requestor's Information	
<b>Name</b>	
<b>Full Address</b>	
<b>Telephone</b> Daytime Evening	
<b>Fax</b>	
<b>Email Address</b>	
<b>Description of Request</b> (Attach additional documentation if necessary)	

Payment Information			
<b>Cost/Fee for Providing Records</b>	<b>Copies</b>	<b>No.</b>	<b>Cost</b>
	A. Number of single-sided pages @ \$0.05 per page:		_____ \$ _____
	B. Number of 11x17 pages @ \$.10 per page:		_____ \$ _____
	<b>Other</b>		\$ _____
	<b>Total Charge</b>		\$ _____

\_\_\_\_\_  
Signature of Individual Receiving Payment

\_\_\_\_\_  
Date Payment Received